

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.11529 of 2022

Akshaya Kumar Pujhari

....

Petitioner

Mr. Sanjay Kumar Behera, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. M.K. Mohanty, A.S.C.

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

19.09.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Addl. Standing Counsel for the State.
3. This is an application under Section 438, Cr.P.C. filed by the Petitioner for anticipatory bail, involving offence punishable under Sections 341/294/323/325/354/34, I.P.C.
4. Considering the seriousness of the allegation, gravity of the offence and the facts of the case, although I am not inclined to grant anticipatory bail to the Petitioner, however it is observed that, in the event the Petitioner surrenders and moves for bail before the learned J.M.F.C., Pipili in G.R. Case No.698 of 2022 corresponding to Delanga P.S. Case No.254 of 2022 within a period of three weeks from today, he shall be released on bail on such terms and conditions as the learned Magistrate may deem just and proper in the facts and circumstances of the case, but subject to verification of the Injury

Report. If the injuries caused to the injured are found to be grievous in nature, then this bail order shall stand automatically revoked.

The Case Diary and the Injury Report be made available to the learned Magistrate for consideration of the bail application of the Petitioners on the date of their surrender.

While imposing conditions for bail, learned Magistrate shall also impose the following additional conditions –

- (i) The petitioner shall cooperate with the investigation and shall appear before the I.O. as and when required for the purpose of investigation;
- (ii) He shall not threaten, terrorise, ill-treat or harass the Informant and his family members including the prosecution witnesses in any manner whatsoever, while on bail by virtue of this order.

Violation of any of the conditions shall entail cancellation of bail of the Petitioner.

5. The ABLAPL is disposed of accordingly.
6. Urgent certified copy of this order be granted as per rules.

(A.K. Mohapatra)
Judge